

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
DOCKET NO. 7:97-CR-98-1F

United States Of America

)

vs.

)

Emmett Madison Graham, Jr.

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AMENDED  
JUDGMENT

)

On September 14, 1998, Emmett Madison Graham, Jr. appeared before the Honorable James C. Fox, Senior U.S. District Judge in the Eastern District of North Carolina, and upon a finding of guilty to Conspiracy To Possess With Intent To Distribute Marijuana, 21 U.S.C. § 846; Possession With Intent to Distribute Marijuana, 21 U.S.C. § 841(a)(1); and Aiding and Abetting Using and Carrying a Firearm During a Drug Trafficking Crime, 18 U.S.C. §§ 924(c)(1) and 2 was sentenced to the custody of the Bureau of Prisons for a term of 210 months. Additionally, it was ordered by the court that the defendant be placed on supervised release for 60 months upon release from imprisonment.

On August 7, 2001, the court reduced the term of imprisonment to 175 months pursuant to 28 U.S.C. § 2255.

Emmett Madison Graham, Jr. was released from custody and the term of supervised release commenced on December 23, 2010.

From evidence presented at the revocation hearing on November 5, 2015, the court found as a fact that Emmett Madison Graham, Jr. who appeared before the court with counsel, violated the terms and conditions of the judgment by using a controlled substances. The court revoked the term of supervision and imposed a 24 month sentence. The court recommended the defendant be imprisoned at FCI Butner to receive medical treatment. The defendant appealed the court's decision and the Fourth Circuit remanded the case to the district court for resentencing.

On June 10, 2016, Graham appeared before the court with counsel and was resentenced and committed to the custody of the Bureau of Prisons or its authorized representative for imprisonment for a period of 11 months.

**IT IS RECOMMENDED** the defendant serve this sentence at FCI Butner.

**IT IS FURTHER ORDERED** that the Clerk provide the U.S. Marshal a copy of this Judgment and same shall serve as the commitment herein.

This the 10th day of June, 2016.

*James C. Fox*  
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James C. Fox  
Senior U.S. District Judge